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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ROBIN LANGLEY,

11 Plaintiff,

No. 2:10-cv-03060 MCE KJN

12 v.

13 SENTRY CREDIT, INC.,

14 Defendant.

ORDER

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16 Presently before the court is the parties' proposed Stipulated Protective Order,  
17 which seeks an order limiting the use and dissemination of information that the parties seek to  
18 designate as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" information" (Dkt. No. 15).  
19 The undersigned does not approve the proposed Stipulated Protective Order as drafted because it  
20 does not conform to the requirements of this court's Local Rule 141.1. The Stipulated Protective  
21 Order raises an additional concern identified below.

22 This court's Local Rule 141.1(c) provides:

23 **(c) Requirements of a Proposed Protective Order.** All  
24 stipulations and motions seeking the entry of a protective order shall be  
25 accompanied by a proposed form of order. Every proposed protective  
order shall contain the following provisions:

26 **(1)** A description of the types of information eligible for  
protection under the order, with the description provided in general terms

1 sufficient to reveal the nature of the information (e.g., customer list,  
2 formula for soda, diary of a troubled child);

3 (2) A showing of particularized need for protection as to  
4 each category of information proposed to be covered by the order; and

5 (3) A showing as to why the need for protection should  
6 be addressed by a court order, as opposed to a private agreement between  
7 or among the parties.

8 E. Dist. Local Rule 141.1(c). Although the Stipulated Protective Order arguably makes the  
9 showing required by subsections (c)(1) and (c)(2) of Local Rule 141.1, it does not contain any  
10 provision addressing “why the need for protection should be addressed by a court order, as  
11 opposed to a private agreement between or among the parties.” E. Dist. Local Rule 141.1(c)(3).  
12 Thus, the parties have not made the showing required by Local Rule 141.1(c), and the  
13 undersigned does not approve the Stipulated Protective Order as proposed. However, the parties  
14 may either enter into a private agreement or file a proposed stipulated protective order that meets  
15 all of the requirements of the Federal Rules of Civil Procedure and this court’s Local Rules.

16 The undersigned addresses one additional aspect of the proposed Stipulated  
17 Protective Order that the undersigned is not inclined to approve. Paragraphs 25 suggests that this  
18 court will retain jurisdiction over the Stipulated Protective Order and any disputes arising  
19 therefrom after this action has concluded.<sup>1</sup> The undersigned is strongly disinclined to approve  
20 any provision that creates such retained jurisdiction over the Stipulated Protective Order and  
21 related disputes after termination of the action.

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26 <sup>1</sup> Local Rule 141.1(f) provides: “Once the Clerk has closed an action, unless otherwise  
ordered, the Court will not retain jurisdiction over enforcement of the terms of any  
protective order filed in that action.” E. Dist. Local Rule 141.1(f).

1 For the foregoing reasons, IT IS HEREBY ORDERED that the parties' proposed  
2 Stipulated Protective Order is not approved, but without prejudice to the refiling of a sufficient  
3 proposed stipulated protective order if the parties are unable to reach a private agreement.

4 IT IS SO ORDERED.

5 DATED: November 15, 2011

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8 KENDALL J. NEWMAN  
9 UNITED STATES MAGISTRATE JUDGE  
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